

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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ANTHONY K. JONES, SR.,

Civil File No. 05-1108 (MJD/JGL)

Plaintiff,

v.

**ORDER**

DEPARTMENT OF CORRECTIONS,

Defendant.

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The above-entitled matter came before the Court upon the Report and Recommendation of the Chief United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's "Application to Proceed Without Prepayment of Fees," (Docket No. 2), is **DENIED**;
2. This action is **SUMMARILY DISMISSED** pursuant to 28 U.S.C. § 1915A(b);
3. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely the full \$250.00, in accordance with 28 U.S.C. § 1915(b)(2); and

4. For purposes of 28 U.S.C. § 1915(g), this action is dismissed “on the grounds that it is frivolous, malicious, or fails to state a claim on which relief may be granted.”

Dated: July 13, 2005

s/ Michael J. Davis  
MICHAEL J. DAVIS  
Judge, U.S. District Court